

## REMARKS

Applicant hereby replies to the Office Action dated July 2, 2004 within the shortened three month statutory period for response. Claims 1-10 were pending in the application and the Examiner rejects claims 1-10. Applicant cancels claims 7-10 and adds new claims 11-14. Support for the amendments may be found in the originally filed specification, claims, and figures. No new matter has been introduced by these amendments. Reconsideration of this application is respectfully requested.

### I. New Matter Rejections.

The Examiner objects to the preliminary amendment filed on July 9, 2001 under 35 U.S.C. § 132 because it introduces new matter into the disclosure. Applicants respectfully traverse these objections. The Examiner asserts that the added material not supported by the original disclosure is as follows:

#### Page 14, Paragraph 3 of the preliminary amendment

"support for new presentation styles...Wireless Markup Language (WML), PDF, or any authoring language in which the presentation may be written"

Applicants assert that the above preliminary amendment is supported by the original disclosure. As used within the original disclosure, "presentation" refers to the manner and means by which electronic data (i.e. a webpage) is *presented* to a user as is evidenced by the following:

"...the CDA translator, which translates the XML file to an HTML page for presentation through a firewall 334 to the internet 332 for presentation to user 330" (page 7, lines 5-7 in the original disclosure).

It is clear that "presentation" refers to the means and act of delivering an HTML page to a user. The inclusion of the amended text ("Wireless Markup Language (WML), PDF, or any authoring language") is consistent with the following:

"Similarly, the software elements of the present invention may be implemented with any programming or scripting language such as C, C++, Java COBOL, assembler, PERL, or the like..." (page 4, lines 20-22 of the original disclosure)

"While various scripting languages may be used in creating content and/or a page, by way of example only and not by way of limitation, the

content/page is written in the eXtensible Markup Language (XML)..."

(page 5, lines 21-24 of the original disclosure)

The Wireless Markup Language (WML) is a markup language that is often referred to in the art in its alternatives, "authoring language", "scripting language", and "programming language" just as its related technologies, HTML, DHTML, XML, etc. Further, the amended text objected to by the Examiner contains the inclusion of "PDF". Portable document format is most often associated with a file type that can be read on any platform through an Acrobat Reader by Adobe. However, those skilled in the art also realize that PDF contains its own programming environment where fairly sophisticated applications can be constructed through the use of the PDF scripting syntax. Therefore, the inclusion of "PDF" should be allowable for at least the same reason as "WML", previously described. Further information about PDF scripting can be found at: <http://partners.adobe.com/asn/tech/pdf/acrobatSDKs.jsp> (Chapter 3 "Scripting").

The Examiner next asserts that the following preliminary amendments include new matter:

Page 14, Paragraph 4 of the preliminary amendment

"In conjunction with repurposing, the present invention also permits the use of the content from the database to support all foreign language usage...may be utilized in any language, in any format, and/or for any media"

Applicants respectfully traverse this rejection. To expedite prosecution of this case, Applicants delete the added language. However, because the original disclosure discusses the separation of data from the presentation, it would be obvious for one skilled in the art to conclude that the system would be capable of supporting various content sets for a related presentation. As such, the system is capable of supporting "various foreign languages, formats and medias" as set forth in the presently amended paragraph.

The Examiner next asserts that the following preliminary amendments include new matter:

Page 15, Paragraph 2 of the preliminary amendment

"translate the XML file in to an HTML page or any other presentation format suitable for user's device"

Page 15, Paragraph 3 of the preliminary amendment

"representation suitable for the user's device"

Applicants assert that the above preliminary amendments are supported by the original disclosure. Regarding the amendments, it is clear from the context that "presentation" and "representation" are synonymous in that they both refer to the *manner* in which information is being passed to a user's device. As used within the original disclosure, "presentation" refers to the manner and means by which electronic data (i.e. a webpage) is *presented* or *represented* to a user as is evidenced by the following:

"...the CDA translator, which translates the XML file to an HTML page for presentation through a firewall 334 to the internet 332 for presentation to user 330" (page 7, lines 5-7 in the original disclosure. Emphasis added)

In some cases, the syntax used to refer to the technology used to create a presentation of information is the same used to describe the presentation or representation itself. This is especially true in regard to markup languages. For example, a web page may be created using HTML. The completed web page may then be presented or represented on a user's device, (i.e. computer with a browser application) as an HTML document. The same applies in regard to DHTML and XML. As such, a reference to a scripting language, in some cases, also describes the means by which it will be presented or represented as is evidenced by the following:

"While various scripting languages may be used in creating content and/or a page, by way of example only and not by way of limitation, the content/page is written in the eXtensible Markup Language (XML)..."

(page 5, lines 21-24 of the original disclosure)

As stated in the disclosure above, a "page" may be created through various scripting languages. Therefore, a page developed in XML will also be presented or represented in XML. The same would hold true if the page was created in HTML, DHTML, XSL and the like. Therefore, the inclusion of "representation suitable for the user's device" and "representation suitable for the user's device" should be allowable in that both amendments are fully disclosed in the original specification.

## II. 35 U.S.C. § 112, ¶ 1 Rejections

The Examiner next rejects claim 9 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement (Applicants believe that Examiner intended to reference claim 10 in regard to this rejection). Specifically, the Examiner asserts that the claim contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the

application was filed, had possession of the claimed invention. Applicants respectfully traverse the rejection. To expedite prosecution of this case, Applicants cancel claim 9 without prejudice or estoppel from filing one or more applications with similar or identical claims.

Amended claim 10 clearly discloses that presentation of a markup language file may be presented on "a device suitably configured to read and display said markup language file." Such devices are known in the art and disclosed in the Applicants' specification. Specifically, the specification states:

"Again, the XML file from the global database containing the requested information is processed through a CDA translator into HTML, or a representation suitable for the user's device..." (Page 6, paragraph 3 of the preliminary amendment)

Those skilled in the art will appreciate that a "user's device" in the context of the invention would refer to any device capable of reading and displaying an HTML file. This would include, for example, a computing device with web browser software installed, a cellular telephone equipped to receive HTML files, an automobile navigational system, etc.

The Examiner next rejects claim 1-6 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 3, 4 and 5 has been amended to comply with 35 U.S.C 112, second paragraph and therefore the rejections are now moot. Claims 2-6 depend from independent claim 1, and the base claim 1 is further clarified, so the rejections of claims 2-6 are now moot.

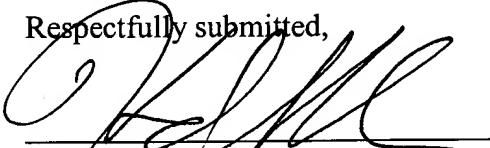
### **III. 35 U.S.C. § 103 Rejections**

The Examiner next rejects claim 1-3, 5 and 7-9 under 35 U.S.C. § 103(a) as being unpatentable over Livingstone (U.S. Patent Number 6,424,979) and in view of Dodrill (U.S. Patent Number 6,738,803). Specifically, in regard to independent claim 1, the Examiner asserts that Livingstone teaches all of the steps of claim 1 with the exception of the step of, "storing said markup language file in a single data base globally accessible by a user". The Examiner cites Dodrill as teaching that step and therefore concludes that it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to have combined Dodrill and Livingstone. Applicants respectfully traverse this rejection.

Dodrill is limited to a system for providing web browser control of audio operations for voice enabled web applications within an HTML and HTTP framework. Dodrill discloses a means for designing voice applications through implementation of an XML editor tool wherein resulting XML pages are stored as XML applications and functions in a database. When a request is made for a voice enabled webpage, a web server may fetch the static pages from a database and serve them to a web browser. Dodrill does not disclose managing digital content through a content management application where a request can be routed to appropriate personnel within a workgroup having different assigned tasks in order to construct, edit, authorize and release webpage content to a company website. As such, Dodrill does not disclose or suggest the step of "storing said markup language file in a data base globally accessible by a plurality of authorized reviewers before posting said markup language file on said company website", as is similarly required by independent claims 1, 11 and 15.

The Examiner rejects claims 2-6 and 8-10 which variously (and originally) depended from independent claims 1 and 7, therefore the pending dependent claims are allowable for at least the reasons described above with respect to independent claims 1, 11, and 15 as well as in view of their own respective features.

In view of the above remarks and amendments, Applicants respectfully submit that all pending claims properly set forth that which Applicants regard as their invention and are allowable over the cited references. Accordingly, Applicants respectfully request allowance of the pending claims. The Examiner is invited to telephone the undersigned at the Examiner's convenience, if that would help further prosecution of the subject Application. Applicants authorize and respectfully request that any fees due be charged to Deposit Account No. 19-2814.

Respectfully submitted,  
  
Howard Sobelman  
Reg. No. 39,038

Dated: September 24, 2004

**SNELL & WILMER L.L.P.**  
400 E. Van Buren  
One Arizona Center  
Phoenix, Arizona 85004  
Phone: 602-382-6228  
Fax: 602-382-6070  
Email: hsobelman@swlaw.com